

# STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

**OFFICE OF THE COMMISSIONER**

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April 29, 2004

Field Manager  
Kobuk Seward Peninsula Resource Management Planning  
Bureau of Land Management  
Northern Field Office  
1150 University Avenue  
Fairbanks, AK 99709-3844

RE: Kobuk-Seward Peninsula Resource Management Plan and Environmental Impact  
Statement, Agency Scoping Comments

To Whom It May Concern:

The State of Alaska appreciates the opportunity to offer comments and provide information in support of preparation of the Bureau of Land Management (BLM), Kobuk-Seward Resource Management Plan/Environmental Impact Statement (RMP/ EIS) pursuant to 43 CFR 1610.3-1. The planning area covers approximately 13 million acres of BLM administered public lands in western Alaska from Point Lay south to Norton Sound, from the Bering and Chukchi Seas east to the Kobuk River, and the Seward Peninsula east to the Nulato Hills. .

The planning effort covers a large area with many unique characteristics and concerns as well as many valuable resources. We recognize that the RMP is a land use decision-making document that provides overall guidance for management decisions in this extensive area and as a result many of the State's comments will be somewhat general in nature.

## **GENERAL MANAGEMENT ISSUES:**

### **State Planning Efforts and Management Responsibilities**

The Alaska Department of Natural Resources has the primary management responsibility for management of state lands including the land, water, tidelands, and shore lands of navigable waters within the state. This authority includes navigable waters, tidelands, and shore lands within the exterior boundary of federal lands, including Conservation System Units (CSU's) created under the Alaska National Interest Lands Conservation Act.

The Department of Fish and Game serves as the primary agency responsible for management of fish and wildlife on all lands in Alaska regardless of ownership. Clarification of this role and a commitment to cooperate in related matters is addressed in the Master Memorandum of

***"Develop, Conserve, and Enhance Natural Resources for Present and Future Alaskans."***

Understanding between the Bureau and the Department. The State requests that the respective roles and a BLM commitment to cooperation in issues that affect each other's responsibilities be fully recognized in the plan. Specifically, the state requests that the plan and planning process fully recognize the state's authorities that overlay BLM's land management responsibilities.

We appreciate BLM's intent, consistent with direction provided in 43 CFR 1610.3-2, to make the Kobuk-Seward Peninsula RMP/EIS compatible or consistent with State or local land use plans that address lands adjacent to BLM's. Many of the parcels in the planning area are state selected. It is in the public interest that the management transition be as seamless as possible when conveyance occurs. The State requests that the planning process avoid making decisions that unnecessarily encumber state selected lands. Even prior to conveyance, BLM management intent for selected parcels should be as consistent as possible with state management intent. Under ANILCA 906(k), the State must concur with authorizations on state-selected lands. State concurrence is based on DNR plans as well as other state policies, regulations and statutes that address selected parcels.

While BLM retains management responsibility for selected lands, the State requests that the appropriate Native corporation and/or the State of Alaska be contacted, and their views considered, prior to implementing a more specific management program or issuing a permit involving these lands. In addition, any fees collected for special use or right-of-way permits should be held in escrow until the selected lands are conveyed or relinquished, consistent with ANILCA Sec. 906(k)(2).

We also ask that BLM carefully review DNR area and management plans that address BLM lands that are state selected and topfiled. The Northwest Area Plan includes decisions on how state selected lands are to be managed when they are conveyed. Of particular concern are state-selected lands that have been identified as a high priority for conveyance and are likely to be state owned over the long term. The State Conveyance Priority List can be viewed at <http://www.dnr.state.ak.us/mlw/title/index.cfm>. Consistent with 43 CFR 1610.3-2, we expect that the Kobuk-Seward Peninsula RMP/EIS will not develop management intent for these parcels that deviates significantly from the existing DNR land use plans.

Direction for management of general state lands is derived from the Northwest Area Plan. Resource Elements are developed in advance of each Area Plan. They describe the resources and uses that occur within planning areas and focus on topics such as fish and wildlife, recreation and tourism, cultural resources, timber, settlement, and transportation.

DNR Plans relevant to the Kobuk-Seward Peninsula RMP can be found at the DNR website. [www.dnr.state.ak.us/mlw/planning/index.htm](http://www.dnr.state.ak.us/mlw/planning/index.htm)<sup>1</sup>

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<sup>1</sup> Click on the links at the bottom of the left column for management plans. All area plans and some State Park plans are on line. ADFG plans for the LDA's they manage are not on line.

Relevant plans and identified management areas include:

Area Plans (ADNR)

- Northwest Area Plan (adopted in 1989 and scheduled to be updated beginning in early 2005)

Management Plans (ADNR – State Parks)

- Alaska Recreational Trails Plan
- Statewide Comprehensive Outdoor Recreation Plan – Alaska’s Outdoor Legacy (update in progress)

Game Management Units (ADF&G)

- 22 (E)
- 23
- 26 (A)

Many of the above referenced plans are provided digitally on the attached CD. The State will be happy to assist BLM with acquisition of any additional documents, associated resource elements, or maps that may be of assistance in this planning effort.

So that BLM planners are better versed on management intent for state lands in and adjacent to the planning area, a brief compilation of the land and resource management tools that the state and municipal governments may apply to public activities involving state land, water, and related use of fish and wildlife resources is attached.

In addition, resources developed by the Alaska Department of Fish and Game may prove useful in analyzing fish and wildlife habitat, distribution, and use within the planning area. Documents that may be of assistance include:

Alaska’s Wildlife and Habitat, ADF&G, Jan. 1973.

Alaska Habitat Management Guide, Arctic Region Map Atlas, ADF&G, 1986.

Anadromous Waters Catalog, ADF&G, 1999.

Western Arctic Caribou Herd Cooperative Management Plan, March 2003.

[http://www.wildlife.alaska.gov/management/planning/Caribou\\_web.pdf](http://www.wildlife.alaska.gov/management/planning/Caribou_web.pdf)

These documents and other information on fish and wildlife habitat, distribution, and use for each Game Management Unit (GMU) within this planning area are available at the local ADF&G office.

In addition to landowner management plans, we recommend BLM consult and integrate the planning documents of local governments, particularly their coastal management plans. While these plans vary considerably in content and coverage over the range of the Kobuk-Seward planning area, many coastal plans include detailed resource inventory and analysis sections. An issue in the Kobuk Seward planning area is the potential need to relocate the villages of Shishmaref and Kivalina due to town site erosion from inundating sea level and storms.

Additional information about coastal districts, as well as contact information, is available through the Alaska Coastal Management Program in the Department of Natural Resources Office of Project Management and Permitting. The Department of Community and Economic Development maintains another valuable source of detailed community information using an on line database. This site also contains detailed community profile maps stored in the “Mr.Sid” compression format that may prove useful in reviewing land status and existing infrastructure.

Coastal Zone (<http://www.alaskacoast.state.ak.us/Explore/Tourintro.html>)

Economic Development ([http://www.dced.state.ak.us/cbd/commdb/CF\\_COMDB.htm](http://www.dced.state.ak.us/cbd/commdb/CF_COMDB.htm))

#### Attachments

Map: Alaska Coastal Management Program Special Area Plans

Map: Alaska Coastal Zone Districts

Document: Coastal Zone Definitions

Document: Select State Tools for Managing State Land/Water and Related Public Activities  
involving Fish and Wildlife Resources (1/04)

Document: Northwest Area Plan

Document: Western Arctic Caribou Herd Cooperative Management Plan

Website: Land Records.info (<http://www.dnr.state.ak.us/cgi-bin/lris/landrecords>)

#### **RS 2477 Rights-of-Way**

The State of Alaska claims numerous roads, trails and paths across federal lands under Revised Statute 2477, a section in the Mining Act of 1866 that states, “The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” Revised Statute (RS) 2477 was repealed by the Federal Land Policy and Management Act of 1976, subject to valid existing claims. The rules for determining valid claims are still a matter of some dispute.

The State of Alaska has identified a number of routes it believes qualify as RS 2477s throughout the state. Through state legislation, Alaska identified a total of 659 RS 2477s routes as of January 2003. In addition to specific routes, the State of Alaska also claims section line easements under RS 2477. In the absence of specific regulation or law, the validity of all RS 2477 rights-of-way is determined on a case-by-case basis, either through the federal courts or by legally binding agreement of all landowners.

The State requests that all easements and rights-of-way be identified and recognized in this planning effort. We recognize that this does not constitute a final determination but request that BLM work with the state to pursue a recordable disclaimer of interest on the part of BLM for the rights-of-way in this planning area. (Ref: Letter from Governor Murkowski to The Honorable Steve Griles, March 25, 2004)

**Attachments:**

Map: State of Alaska RS 2477 Trails, March 2001.

Map: State of Alaska, Proposed Access Corridors with Significant Subsurface Mineral Resource Areas.

Map: General Land Status with Mineral Resources & Mining Claims and Historical Transportation Routes, Northwest, Alaska. 2001. (minrssc8.pdf)

Letter: Governor Murkowski to Deputy Secretary Steve Griles, March 25, 2004.

**ANILCA Provisions**

Within this planning area are many Conservation System Units, The Bering Land Bridge National Preserve, the Selawik National Wildlife Refuge, the Selawik WSR, portions of the Kobuk Valley National Park, Cape Krusenstern National Monument, and a portion of the Koyukuk National Wildlife Refuge.

The Bureau must develop the plan in accordance with the provisions of the Alaska National Interest Lands Conservation Act (ANILCA, P.L. 96-487). Provisions of ANILCA important to the Department include Sections 811, 1110(a), and 1316(a), among others.

Section 811 of ANILCA, addressing all federal public lands in Alaska, states that:

“the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation . . . “

ANILCA Section 1110(a) mandates that:

“. . . the Secretary shall permit, on conservation system units, national recreation areas, and national conservation areas, and those public lands designated as wilderness study, the use of snowmachines (during periods of adequate snow cover . . . ), motorboats, airplanes, and non-motorized surface transportation methods for traditional activities . . . and for travel to and from villages or homesites. Such use shall be subject to reasonable regulations by the Secretary to protect the natural and other values of the conservation system units . . . and shall not be prohibited unless, after notice and hearing in the vicinity of the affected unit or area, the Secretary finds that such use is detrimental to the resource values of the unit or area.”

In addition, Section 1316(a) allows:

“On all public lands where the taking of fish and wildlife is permitted in accordance with the provisions of this Act or other applicable State and Federal law the Secretary shall permit, subject to reasonable regulation to insure compatibility, the continuance of existing uses, and the future establishment, and use, of temporary campsites, tent

platforms, shelters, and other temporary facilities and equipment directly and necessarily related to such activities . . . “

### **Subsistence**

BLM lands in the planning area that are located near rural communities undoubtedly are being or have been used for subsistence purposes and serve as important habitat for resources used for subsistence purposes. At a minimum, the plan should document and describe subsistence use patterns in those communities located near BLM lands, including but not limited to Kivalina, Point Hope, Kotzebue, Noatak, Kiana, Shungnak, Wales, Teller, Buckland, Koyuk, Shaktoolik, White Mountain, and Elim. Subsistence activities by several communities located outside of, but near the planning area, could be affected by planning decisions made for lands within the planning area, including but not necessarily limited to Unalakleet, Kaltag, Nulato, Koyukuk, and Hughes. Information that should be presented for each community that uses or has used BLM lands for subsistence activities includes: Specific geographic areas involved and the extent of use for particular seasonal harvest activities (vs. other lands); species harvested; seasonality of use; and how the area is accessed for subsistence harvest activities. Comparable data probably are not readily available in published sources for all communities, but the ADF&G Division of Subsistence technical paper series and Community Profile Database are good starting points.

#### **References:**

##### **Subsistence Technical Paper Series**

<http://www.subsistence.adfg.state.ak.us/geninfo/publctns/techpap.cfm>

##### **Community Profile Database**

<http://www.subsistence.adfg.state.ak.us/geninfo/publctns/cpdb.cfm>

### **Section 17(b) of the Alaska Native Claims Settlement Act Easements**

Section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971, authorizes the Secretary of the Interior to reserve easements on lands conveyed to Native corporations to guarantee access to public lands and waters. Easements across Native lands include linear easements (e.g., roads and trails) and site easements. Site easements are reserved for use as temporary campsites and to change modes of transportation. They can be established at periodic points along the course of major waterways flowing through Native lands, along coastal areas, and at junctions of roads and trails. The size, route, and general location of 17(b) easements are identified on maps filed with conveyance documents. Conveyance documents also specify the terms and conditions of use including the acceptable periods and methods of public access.

The State requests that 17(b) trail and site easements be recognized and mapped as part of this planning process so that the public is aware of their location. This will reduce trespass problems and assist the public in gaining legal access to public use areas. In the event that 17(b) easements are proposed for termination, the State requests that interested parties, including the State of Alaska be given adequate public notice and opportunity to participate and comment.

## **Navigable Waters**

Lands beneath tidelands and inland navigable waters were granted to the State of Alaska by the Equal Footing doctrine, the Submerged Lands Act of 1953, and the Alaska Statehood Act of 1958. If water bodies, both inland and marine, were reserved or withdrawn by the Federal government prior to statehood on January 3, 1959, lands beneath these waters may have been retained by the United States. Within this framework, if a water body is navigable, the bed of the river or lake belongs to the State of Alaska. If a water body is not navigable, the bed of the water body belongs to the adjacent landowner(s). Determination of what waters are navigable or non-navigable is an on-going process in Alaska at both the administrative and judicial levels.

The Federal test for determining navigability was established over one hundred years ago in the landmark Supreme Court decision *The Daniel Ball*, 77 U.S. (10 Wall.) 557 (1870), a portion of which reads:

“Those rivers must be regarded as public navigable rivers in law which are navigable in fact and they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways of commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water...”

The State requests that BLM work with the State on specific water bodies to resolve issues concerning ownership and use of rivers, lakes, and streams within BLM owned lands where management conflicts arise. Cooperative management agreements between the BLM, the State of Alaska, and other landowners may be developed when needed for specific waterways within the planning area. In situations where navigability and the ownership of submerged lands are disputed for a specific water body, the final navigability determination authority rests with the Federal courts.

Attachment:

Fact Sheet: Recordable Disclaimer of Interest: State Owned Navigable Waters  
(recordable\_disclaimer.pdf)

## **Water Rights**

In general, water on BLM lands is subject to the “Water Use Act”. The Department of Natural Resources shall determine and adjudicate rights in the water of the state, and its appropriation and distribution. The State of Alaska functions within the prior appropriation doctrine which allows the first appropriator of water a priority right to use water over subsequent appropriators on a “first in time, first in right” basis. A priority date is established at the time of application. On some BLM lands the state may recognize a Federal Reserve Water Right (FRWR), but only on those BLM lands where Congress or the President withdraws lands from the public domain for a specific purpose(s) (Wild and Scenic Rivers). All other BLM lands are considered part of the public domain and are not subject to FRWR. Unless otherwise specified by Congress, FRWR covers only the minimum amount of water necessary to fulfill the primary purpose of the land withdrawal. FRWR are implied until proven. Upon adjudication by the state, the priority

date of a FRWR is the date the federal land was withdrawn from the public domain, and is then incorporated into the state water right system.

### **State Transportation Planning**

Federal transportation planning regulations require each state to develop a long-range statewide transportation plan in consultation and coordination with other governmental agencies and the public. The State requests that BLM consider State transportation planning policies and documents relevant to the Kobuk-Seward planning area. State transportation plans relevant to the Kobuk-Seward RMP include:

- Vision 2020, the Statewide Transportation Policy Plan
- Northwest Alaska Transportation Plan, Community Transportation Analysis, February 11, 2004.

It should be noted that The Industrial Roads Program, also known as “Roads to Resources,” began in March 2003 and includes the Nome Gold Development project designed to replace an existing 8 mile problematic section of road with a new 3 mile segment designed to enhance access to mining developments such as Rock Creek and reduce maintenance costs. Information about the Industrial Roads Program can be found on the DOT website (<http://www.dot.state.ak.us>) and is indicative of the State’s interest in enhancing access and resource development.

The State of Alaska Department of Transportation (DOT) is also responsible for state airports, transportation corridors, and the ferry system. We request the plan address potential airport expansion for both economic development and for runway expansion as population centers continue to grow and air travel needs of rural communities continue to expand, as well as access roads to such existing and future facilities. Of particular importance in this rural planning area are transportation corridors for resource development, rural airports, and harbors and docks.

The Aviation Improvement Program (AIP) makes federal funds available to the State for airport planning and construction projects. Most of the federal dollars spent in the more rural parts of this planning area fall into this category. The state therefore requests the plan support rural airport enhancements and/or expansion where needed for community and economic development.

Of particular interest to the State Department of Transportation in this planning area are the following issues:

1. Material sites – Adequate material sites should be made available where required for existing and future state and local roads and airports.
2. Aircraft landing areas on BLM lands commonly used by the public should be identified and, where not in conflict with land use designations, permitted by the plan.
3. The plan should recognize the state’s need for future upgrading, realignment and expansion of its transportation system.



Attachments:

Vision: 2020 Statewide Transportation Policy Plan w/ addendum  
Northwest Alaska Transportation Plan

### **Utility Corridors**

The State requests that BLM consider the necessity of providing for the development of utility corridors, including corridors for the transport of oil and gas and other mineral resources, as well as transportation corridors to support future economic growth in the Kobuk-Seward Peninsula planning area.

Attachments:

Map: State of Alaska, Proposed Access Corridors with Significant Subsurface Mineral Resource Areas.

Map: Corridor Priorities for State Ownership, State Land Selection Project. 1994. (corr0395.pdf)

### **Wild and Scenic River Designations and Planning**

The Selawik River is already designated a National Wild and Scenic River and it is our understanding that BLM RMPs will be compatible with existing management plans for W&S rivers. Any additional Wild and Scenic River assessment done for the Kobuk-Seward Peninsula plan must consider the potential land ownership pattern following completion of the state and native conveyances. Virtually all of the rivers previously identified as eligible for the National Wild and Scenic Rivers System by BLM in 1990 are in areas that are state or ANCSA selected. Therefore, it is unlikely that any rivers in the planning area are suitable for Wild and Scenic River designation.

### **Wilderness Studies**

The State requests that BLM adhere to the policy set forth in the Memorandum from Secretary of the Interior, Gale A. Norton to the Director of the Bureau of Land Management dated April 11, 2003 and reiterated in a letter to Governor Frank H. Murkowski, also dated April 11, 2003 which states:

“Therefore, I instruct BLM to consider specific wilderness study proposals in Alaska, as part of any new or revised resource management planning effort, if the proposals received have broad support among the State and Federal elected officials representing Alaska. Absent this broad support, wilderness should not be considered in these resource management plans.”

At this time it is clear that there is a lack of broad support for further wilderness proposals. In the event that any such proposal is considered, the State requests that there be additional consultations with the state and that any areas proposed for Wilderness designation be managed consistent with the special provisions of ANILCA that amend the Wilderness Act of 1964.

Attachments:

Correspondence: Gail Norton, April 11, 2003.

### **Coastal Zone Consistency**

The Coastal Zone Management Act of 1972, as amended (PL 92-583), directs federal agencies conducting activities within the coastal zone or that may affect any land or water use or natural resources of the coastal zone to conduct these activities in a manner which is consistent “to the maximum extent practicable” with approved state management programs.

The Alaska Coastal Zone Management Act of 1977, as amended, established policy guidance and standards for the review of projects within or potentially affecting Alaska’s coastal zone. In addition, specific policies on activities and uses of coastal lands and water resources within coastal resource districts have been developed. Most incorporated cities, municipalities, and boroughs, as well as unincorporated areas (coastal resource service areas), within the coastal zone have State-approved coastal management programs.

(<http://www.alaskacoast.state.ak.us/Explore/aldistEPS.html> )

The State requests that BLM consider approved Coastal Management plans and policies when developing recommendations for BLM lands within a Coastal Zone area. It should be noted that coastal zone management plans are being revised to comply with new regulations and currency of documents should be verified.

### **SUBSURFACE**

BLM is responsible for management of the federal subsurface mineral estate. This includes subsurface lands under other federal agency management units, and in some cases under lands where the surface is privately owned. Resource development is a priority of the State. In the Kobuk-Seward Planning Area the State requests that BLM consult with the State Department of Natural Resources before taking any actions that could potentially negatively impact resource development on State lands. A general description of ongoing subsurface resource development activities follows.

#### **Oil and Gas Leasing**

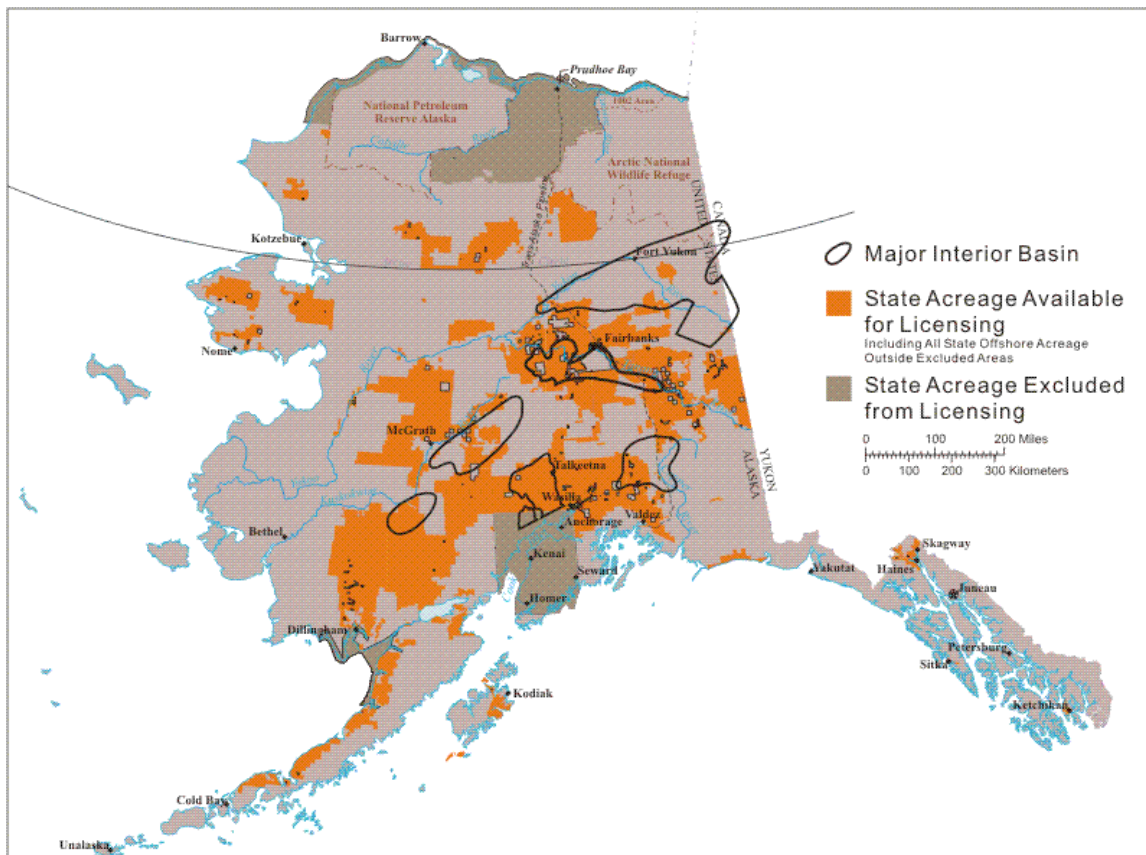
The State is encouraging oil and gas development in the state and would appreciate the opportunity to specifically review and comment on any proposed actions that may limit or discourage exploration and development in this area. At this time there are no anticipated lease sales proposed for this area.

#### **Oil and Gas Exploration Licensing**

An exploration-licensing program has been initiated by the State in order to stimulate exploration in Alaska’s unexplored large sedimentary basins, particularly in portions of the North Slope, Cook Inlet and interior Alaska. This program is designed to complement the oil and gas leasing program.

An area between 10,000 to 500,000 acres can be selected for Exploration Licensing. A license is awarded to the applicant who has committed the most dollars to an exploration program. There is a \$1.00 per acre licensing fee with no additional charges during the term of the license, which can be for a period up to 10 years. During the term of the license any portion of the licensed area may be converted to an oil and gas lease, with terms extending beyond those of the license.

The licensing process is an annual process, initiated by applicants during the month of April each year or at the Commissioner's discretion a notice requesting submittal of proposals may be issued at any time.



Department of Natural Resources, Oil and Gas Exploration Licensing

Additional information specific to the ongoing licensing process can be found on the Division of Oil and Gas website. (<http://www.dog.dnr.state.ak.us/oil/programs>)

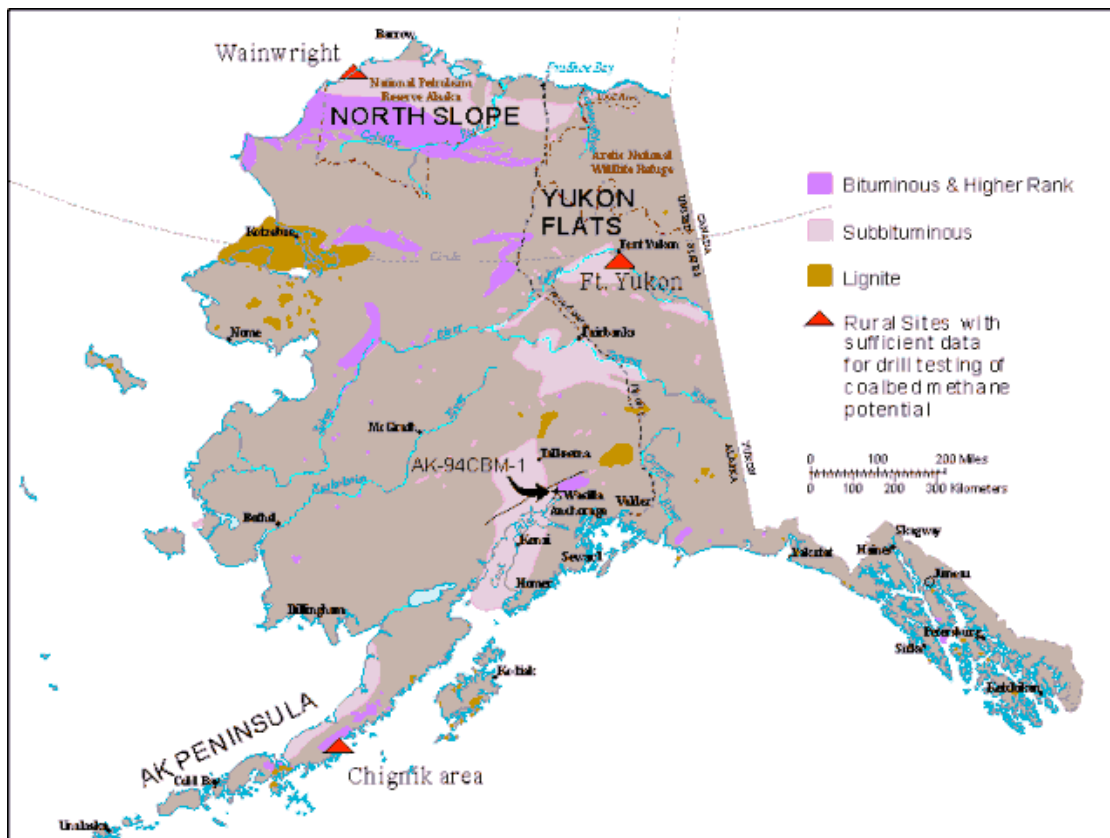
### Coalbed Methane

Alaska's hypothetical coal resources exceed 5.5 trillion short tons and may contain up to 1,000 TCF (trillion cubic feet) of gas. The coal resource varies in rank from bituminous to lignite, and formed in extensive Cretaceous to Tertiary aged basins throughout the state. Economically

producible coalbed methane is an attractive alternative to diesel fuel, the main energy source for home heating and electricity throughout much of rural Alaska.

In 1994, the Division of Oil and Gas drilled the state's first coalbed methane test well near the town of Wasilla. The well (AK-94CBM-1) was drilled to a depth of 1,245 feet (380 m), continuously coring the Tertiary-age Tyonek Formation from 354 feet (108 m) to total depth. Eighteen seams of high-volatile C bituminous coal were encountered, the thickest being 6.5 feet and a net coal thickness of 41 feet. Thirteen of these seams were sampled for gas content.

The Division of Geological and Geophysical Surveys embarked on a multi-year study to determine whether coalbed methane could serve as a local energy source in rural Alaska. Three coal basin sites were selected using a coalbed methane producibility model developed by the Texas Bureau of Economic Geology: 1) western North Slope near Wainwright, 2) Yukon Flats at Fort Yukon and, 3) Alaska Peninsula near three Chignik Bay communities. Each site has the potential for thick beds of coal or lignite. These sites also present a cross section of the extreme climate and drill rig access problems that would face any coalbed methane development program in Alaska.



Coal Bed Methane Study, Alaska Division of Geological & Geophysical Surveys

DGGS, in cooperation with the U.S. Geological Survey, is developing a drilling program that will assess the gas producibility for each of these sites. This program proposes drilling two



**Locatable Minerals**

There are many mineral prospects, operating mines, placer districts and coalfields located within the Kobuk-Seward RMP planning area. The state requests that access for transportation and utility infrastructure to these mineralized areas be considered. Planning for BLM lands located near or adjacent to these mineralized areas should take into consideration the need for flexibility in planning for access and supporting infrastructure based on land ownership and physical characteristics of the terrain. Year-round access within the RMP utilizing existing access trails as much as possible will reduce the need for large helicopters to move supporting equipment and materials as exploration and development continues.

It is important that state planning intent as specified for selected lands in existing management plans be considered as BLM develops planning recommendations for this area. The state is interested in encouraging exploration and development of mineral resources.

Areas experiencing considerable mineral exploration and development include the following mines and placer districts, with a brief issue description:

**Rock Creek Mine Development:** Nova Gold Resources, Inc. is currently developing their Rock Creek and Saddle hard rock gold prospects just a few miles north of Nome. The Rock Creek mine development will be accessible by a new road along the Snake River, is located on federal claims and is scheduled to begin gold production in 2006. These gold deposits average about one million ounces grading 2.85 grams gold per ton. Nova Gold plans on spending \$5 million for development work in 2004.

**Nome Third Beach Placer Gold Project:** Nova Gold is continuing engineering and exploration work to evaluate the potential to restart placer mining at its Nome gold project. The placer deposit contains a measured and indicated resource estimated at 1.2 million ounces of gold and an inferred resource estimated at 1.1 million ounces of gold. More than 4 million ounces of gold have been extracted from the property since its discovery around 1900. Mining on the project was terminated in 1998 due to low gold prices. The Company has budgeted \$500,000 for delineation drilling and engineering work in 2004.

**Big Bar, Think Zinc and Rocky Mountain Exploration Projects:** Quaterra Resources will be exploring these three Pb-Zn prospects again in 2004. Think Zinc and Rocky Mountain are about 20 miles north of Nome and west of the Nome-Kougarok Road, Big Bar is near the Bendeleben Mountains and is not currently accessible by road. All of these deposits are in a similar host rock assemblage and possible structural belt with the Red Dog deposits.

**Ambler Volcanic Massive Sulfide Belt:** Nova Gold may be acquiring an option from Kennecott to explore and develop the Ambler District claim properties in the southern Brooks Range. The Ambler District contains several known volcanogenic massive sulfide occurrences discovered in the 1970's but not significantly explored in over a decade. The most advanced target on the property is the Arctic deposit which has an inferred resource of 36.3 million tonnes with

precious metals grading 0.7 grams of gold per tonne and 54.9 grams of silver per tonne (1.64 grams per tonne gold equivalent) and base metals grading 4% copper, 5.5% zinc and 0.8% lead (7% copper equivalent). The contained precious metals in this resource total 817,000 ounces of gold and 62.1 million ounces of silver (1.9 million ounces gold equivalent) and the base metals total 3.2 billion pounds of copper, 4.2 billion pounds of zinc and 640 million pounds of lead (5.6 billion pounds copper equivalent using US\$350 per ounce of gold and US\$6 per ounce silver, and US\$0.90 per pound copper, US\$0.45 per pound zinc and US\$0.35 per pound lead). This estimate was based on 70 wide spaced drill holes and ranks the deposit as one of the largest volcanogenic massive sulfides in the world. The favorable mineralized horizon at the Arctic deposit has been mapped over a strike length exceeding 50 miles east and west of the deposit. Under the terms of the agreement, Nova Gold can earn a 51% interest in the project by matching Kennecott's expenditures on the property totaling US\$20 million before 2016. During the first five years of the agreement Nova Gold must spend a minimum of US\$5 million on exploration and development work and obtain memorandums of understanding with land owners in the region necessary to provide access for mine development. During the second phase of the agreement Nova Gold must spend the balance of the earn-in funds (to total \$US20 million) and complete a pre-Feasibility Study resulting in a positive rate of return using a 10% discount rate. Nova Gold would be manager of the project through to the completion of a final positive Feasibility Study at which time Kennecott has a one-time option to acquire an extra 2% interest in the project, and take over management of construction and operation of the mine by making a payment to Nova Gold equivalent to 4% of the project's Net Present Value using a 12.5% discount rate. Nova Gold has budgeted a minimum \$1 million for exploration and development work on the Ambler project for 2004 including an initial 6,000 foot core drilling program. A major obstacle to the past and present development of this project is access through federal lands.

**Kougarok Placer Mining District:** Various placer mining operations continue to mine bench deposits in this district as has occurred for the past 75+ years. These mining operation are generally road and cat trail accessible via the Nome-Kougarok Road.

Additional information regarding mineralized areas can be obtained from the Division of Geological and Geophysical Surveys (DGGS) in Fairbanks. The DGGS website has an extensive on-line publications section. (<http://www.dggs.dnr.state.ak.us/pubs.html> )

#### Attachments

Map: Proposed Access Corridors with Significant Subsurface Mineral Resource Areas.

Map: Generalized Geologic Map of Alaska, (pdf)

Data: Zipped shape files for Generalized Geologic Map of Alaska.

Map: Map of Prospective Mineral Areas and Significant Mineral Resources, 1999.

Map: Map of Alaska's Coal Resources, 1986. (SR37-SH1.SID)

Map: Oil and Gas Basins Map of Alaska, 1983. (SR-32\_SH1.SID)

Map: Map of Selected Mines, Reserves and Resources in Alaska, 1992.  
(PDF92-16-SH1.SID)

Publication: Alaska's Mineral Industry Report, DNR, DGGS, DECD



Publication: Opportunities in Alaska Coalbed Methane

Publication: Coalbed Methane-Potential Energy Source for Rural Alaska (0106news.pdf)

Publication: Information Circular 11, Publications Catalog of Geological and Geophysical Surveys, Fourth Edition 1996 with Addenda, 1996-1999, and 2003.

### **Leasable Minerals (Coal)**

It should be noted that the Governor of any state with an approved regulatory program may request that the Secretary of the Department of the Interior enter into a cooperative agreement to grant the State the authority to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA) on federal lands. At present, Alaska has no such agreement in place. However, should coal operations be developed on federal lands in this area such an agreement would likely be developed between the Office of Surface Mining (OSM) and the State. The agreement would set out the respective roles of the State and Interior relative to regulation of mining operations on federal lands (Ref: 30 CFR 745). Management and administration of the leased estate remains with the Secretary per 30 CFR 745. (Ref: AS 27.21.010)

## **SURFACE USE**

### **Recreational Use**

The State's primary recreational interest in BLM lands or state-selected BLM lands is continued recreational access both motorized and non-motorized. Equally important is management of these lands so that the land is not subject to disruptive and destructive use by the public. The State's goals and objectives relative to recreation can be found in the Statewide Comprehensive Outdoor Recreation Plan included on the attached CD for your reference. State area and management plans and the publication Generally Allowed Uses on State Land should be considered in developing management recommendations for state-selected lands.

Attachments:

Alaska Recreation Trails Plan (2000)

Statewide Comprehensive Outdoor Recreation Plan (update in progress)

Fact Sheet: Alaska Heritage Trails Program (heritage\_trails.pdf)

Generally Allowed Uses on State Land (April 2004)

### **Off Highway Vehicle (OHV) Activity**

The public lands of the study area receive intensive off road vehicle use. Access to most of the planning area of the region is by off road vehicles through an extensive trail system. While the state is concerned about protecting continued access to state-owned land and water, BLM should also consider management options that protect federal land from significant impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage the Bureau to work with the Alaska Department of Fish and Game and Department of Natural Resources to determine traditional routes of access and protect sensitive areas. Some areas of state lands identified by the Board of Game have vehicular use restrictions for the harvest of fish and game. The Alaska Hunting Regulations describe each area with vehicular



restrictions by Game Management Unit. The Board of Game generally addresses OHV management issues in these areas and the State is unlikely to be supportive of further restrictions. [http://www.wildlife.alaska.gov/regulations/pdfs/regulations\\_complete.pdf](http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf)

State-selected lands should be managed consistent with DNR policies as outlined in the DNR fact sheet “Generally Allowed Uses on State Land”:

“**Using a highway vehicle** with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, **or using a recreational-type vehicle** off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile and four-wheeler, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion. An authorization is required from the Office of Habitat Management and Permitting for any motorized travel in fish bearing streams. (Curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs, including a basic Argo.)”

#### Attachments:

Generally Allowed Uses on State Land (April 2004)

Correspondence: Sally Gibert to Bill Overbaugh, BLM September 19, 2000, Consolidated state comments on National off-highway vehicle strategy.

#### Cultural Resources

When any federal “undertaking” including any action funded or authorized by the federal government with the potential to directly or indirectly affect any archaeological or historic site is planned, a consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act must be initiated. If archaeological or historic sites are identified in the project area their significance should be evaluated to determine their eligibility for inclusion in the National Register of Historic Places (36 CFR 60). In the event that archaeological or historical sites are identified through this planning process, the state requests that the State Historic Preservation Officer be notified. It should also be noted that the state may request that recreational or commercial uses be precluded in order to protect archaeological and historic sites.

The coast of Northwest Alaska contains some of the most significant archaeological sites in the state of Alaska. Large settlements with an elaborate material culture were able to develop due to the relatively stable resource base of sea mammals and other marine resources. These prehistoric settlements are often at risk from impacts from modern development.

The Seward Peninsula has had a long mining history starting with the Gold Rush in the late 1800s. Remains of historic mining camps, equipment and features such as mining ditches and tailing piles are still evident today. Historic mining remains are often at risk from impacts from modern mining activities.

It is important to remember that only a small percentage of all land in Alaska has ever been archaeologically surveyed. This is especially true within the Kobuk-Seward RMP due to its extreme remoteness. An absence of reported sites within a project area therefore, does not mean that there are no cultural resources. It may be due to a lack of previous survey.

## **OTHER ISSUES**

### **Withdrawals**

The State asks that all federal withdrawals be identified and mapped, and the purpose for each withdrawal be noted either in annotation or the map legend. It has been suggested that the RMP planning effort presents an appropriate opportunity for BLM to review all PLOs and withdrawals and remove those where the intended purposes are no longer present, particularly in those areas where resource development could potentially occur.

### **State Land Sales**

State Land Sales are generally directed toward areas identified in the Northwest Area Plan for Settlement. The state has several types of disposal programs. At present two programs are being utilized. The first is a land sale program that initially makes state land available for sale through auction and then, if not sold, parcels become available over the counter for public purchase by Alaska residents. Remote recreational cabin sites are also available through a staking program. Details of these programs can be found on the web at <http://www.dnr.state.ak.us/mlw/landsale/index.htm>.

#### **Attachments:**

Fact Sheet: Land for Alaskans

Fact Sheet: Remote Recreational Cabin Sites (remote\_cabins.pdf)

Website: Subdivisions in the Southcentral Region, Over the Counter Sales  
([http://www.dnr.state.ak.us/mlw/landsale/otc/subdiv\\_sc.cfm](http://www.dnr.state.ak.us/mlw/landsale/otc/subdiv_sc.cfm))

### ***SUMMARY:***

In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the most commonly expressed issues.

- State and Native selections should be identified in the plan.
- The Northeast Area Plan establishes management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for this area.
- If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas.

- Reasonable consistency or compatibility with state management will minimize user conflicts and confusion.
- If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access.
- The State requests that BLM recognize existing state authorities relative to fish and wildlife management.
- The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple use.
- The State requests that BLM be aware of changes in the Coastal Zone Management Program.

The State appreciates the opportunity to offer initial scoping comments for the Kobuk-Seward Resource Management Plan/Environmental Impact Statement. We appreciate BLM's efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible.

Thank you again for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.

Sincerely,

Carol Fries  
State RMP Project Coordinator

Attachments:

**Hard Copy**

Fact Sheet: Generally Allowed Uses on State Land, DNR (April 2004)

Fact Sheet: State of Alaska Legislatively Designated Areas, DNR

Select State Tools for Managing State Land/Water and Related Public Activities Involving  
Fish and Wildlife Resources, DRAFT 1/03

Correspondence, Gail Norton, April 11, 2003.

Letter: Governor Murkowski to Deputy Secretary Steve Griles, March 25, 2004.

Northwest Area Plan for State Lands

**CD ROM: kobukseward\_state** (Directory Structure)

**ksstateplans**

Alaska's Coastal Zone and Coastal District Boundaries (dgc1a.pdf)

Alaska Coastal Zone Management Program Special Area Plans (dgc4f.pdf)

Coastal Zone Boundary Definitions (Dist\_Cstl\_Zone\_Defs.pdf)

Generally Allowed Uses on State Land (gen\_allow\_use.pdf)

Select State Tools for Managing State Land/Water and Related Public Activities  
 involving Fish and Wildlife Resources (1/04) (draft state tools #6.pdf)  
 State of Alaska Legislatively Designated Areas Index Map (lda1040.pdf)  
 State of Alaska Legislatively Designated Areas (ldafct97.pdf)  
 Fact Sheet: Recordable Disclaimer of Interest: Alaska's Navigable Waters  
 (recordable\_disclaimer.pdf)  
 Northwest Area Plan for State Lands (northwest\_area\_plan\_for\_state\_lands.pdf)

#### **ksaccess**

Vision 2020 Statewide Transportation Policy Plan (2020sectionone.pdf)  
 Northwest Alaska Transportation Plan (nwtransportationplan.pdf)  
 NW Easement Atlas, Kotzebue Area  
 (Northwest\_Easement\_Atlas\_Kotzebue\_Area.pdf)  
 NW Easement Atlas, Nome Area  
 (Northwest\_Easement\_Atlas\_Nome\_Area.pdf)  
 State of Alaska RS2477 Trails (rs2milo1\_1.pdf)  
 Proposed Access Corridors with Significant Subsurface Mineral Resource Areas  
 (corr\_lode\_2r.pdf)  
 Corridor Priorities for State Ownership, State Land Selection Project. 1994.  
 (corr0395.pdf)  
 General Land Status with Mineral Resources & Mining Claims and Historical  
 Trails.  
 Fact Sheet: Alaska Heritage Trails Program (heritage\_trails.pdf)  
 Consolidated state comments on National off-highway vehicle strategy.  
 (ohv\_strategy-DGC.pdf)

#### **kssubsurface** *{You will need to download and install Mr. SID Viewer}*

Map of Selected Mines, Coalfields and Significant Mineral Resources of Alaska  
 (mp33-SH01.SID)  
 Map of Prospective Mineral Areas and Significant Mineral Resources of Alaska  
 (MP38-SH01.SID)  
 Map of Selected Mines, Reserves, and Resources in Alaska  
 (PDF92-16-SHI.SID)  
 Oil and Gas Basins Map of Alaska ((SR-32-SH1.SID)  
 Map of Alaska's Coal Resources (SR37-SH1.SID)  
 Generalized Geologic Map of Alaska (akgeomap2000.pdf)  
 Data: Zipped shape files for Generalized Geologic Map of Alaska  
 Proposed Access Corridors with Significant Subsurface Mineral Resource Areas  
 (corr\_lode\_2r.pdf)  
 Alaska's Mineral Industry 2003: A Summary (IC50.pdf)  
 Opportunities in Alaska Coalbed Methane (MP42.PDF)  
 Coalbed Methane-Potential Energy Source for Rural Alaska (0106news.pdf)

General Land Status with Mineral Resources & Mining Claims and Historical Transportation Routes, Southcentral, Alaska. 2001. (minrssc8.pdf)  
Information Circular 11, Publications Catalog of Geological and Geophysical Surveys, Fourth Edition 1996 with Addenda, 1996-1999, and 2003. (IC11.PDF, IC11Addenda.pdf, and IC11PDFAdenda.pdf)  
State of Alaska, Five-Year Oil and Gas Leasing Program, January 2003 (1\_5YR\_PROGRAM\_NEW\_03.pdf)

**kssurface**

Generally Allowed Uses on State Land (gen\_allow\_use.pdf)  
Select State Tools for Managing State Land/Water and Related Public Activities involving Fish and Wildlife Resources (1/04) (draft state tools #6.pdf)  
General Land Status Northern Alaska, 11/2003 (LandStatN1mil.pdf)  
Alaska's Outdoor legacy, Statewide Comprehensive Outdoor Recreation Plan (scorp.pdf)  
Fact Sheet: Remote Recreational Cabin Sites (remote\_cabins.pdf)  
Fact Sheet: State Land Exchanges (land\_exch.pdf)  
Fact Sheet: Land for Alaskans (land\_for\_ak.pdf)  
Alaska Recreational Trails Plan, October 2000 (trlplan.pdf)